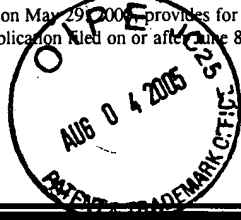


BFW Dec/11

**REQUEST FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for the continued examination of a utility or plant application filed on or after June 8, 1995.



Application Number

09/147,052

Filing Date

April 5, 1999

First Named Inventor

SAITOH, Shuji, et al.

Group Art Unit

1645

Name of Examiner

Jana A. Hines

Attorney Docket No.

981167

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53 (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar 20, 2000) 1233 Off. Gazette Pat Office (April 11, 2000) which established RCE practice.

1. **Submission Required Under 37 C.F.R. § 1.114**

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered)

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☒ Information Disclosure Statement (IDS)

iv. ☐ Other _____

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01 FC:1801

790.00 DP

2. **Miscellaneous**

a. ☐ Suspension of Action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of _____ months (period shall not exceed three months; Fee under 37 C.F.R. §1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

a. ☒ The Commissioner is hereby authorized to charge the following fees, and additional fees, or credit any overpayments, to Deposit Account No. 01-2340.

i. ☐ RCE fee required under 37 C.F.R. § 1.17 (e)

ii. ☐ Extension of Time Fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ Other _____

b. ☒ Check in the amount of \$790.00 is enclosed.

REQUEST FOR
CONTINUED EXAMINATION (RCE)
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PAGE 2



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PATENT TRADEMARK OFFICE

Atty Docket No.

981167

SIGNATURE BY APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name Daniel A. Geselowitz, Ph.D.

Registration No. 42,573 (atty/agent)

Signature

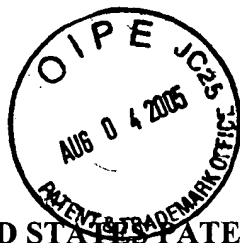
Date August 4, 2005

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, MAIL STOP RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name

Signature



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: SAITOH, Shuji, et al.

Group Art Unit: 1645

Serial No.: 09/147,052

Examiner: Jana A. Hines

Filed: April 5, 1999

P.T.O. Confirmation No.: 1182

FOR: NOVEL FUSION PROTEIN, GENE THEREOF, RECOMBINANT VECTOR
BEARING THE GENE AND RECOMBINANT VIRUS AS WELL AS USE
THEREOF

AMENDMENT ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 4, 2005

Sir:

This Amendment is filed concurrently with a request for Continued Examination (RCE) and is responsive to the Office Action dated May 9, 2005. Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.